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On 9 Aug. 2000

TOWNSEND and TOWNSEND and CREW LLP

By: Malinda Wright

6 AM 1643
PATENT
Attorney Docket No.: 18623-0139100US
Client Reference No.: EPI 0139.10US #5
DB
8/29/00



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sette *et al.*

Application No.: 09/350,401

Filed: July 8, 1999

For: INDUCING CELLULAR IMMUNE
RESPONSES TO HEPATITIS B VIRUS
USING PEPTIDE AND NUCLEIC ACID
COMPOSITIONS

Examiner: Brenda Brumback.

Art Unit: 1643

STATEMENT AND PETITION TO MAKE
SPECIAL UNDER 37 C.F.R. § 1.102;
MPEP § 708.02(XII)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby respectfully petition to make special the above-referenced patent application according to MPEP § 708.02(XII) pertaining to an invention relating to biotechnology filed by applicant who is a small entity.

The present application relates to biotechnology because it is directed to protein and DNA-based vaccines to treat or prevent hepatitis B virus infection.

(A) Small entity status has been established for Applicant.

(B) The subject matter of the present application is a major asset of the company, Epimmune Inc.

(C) The development of the technology will be significantly impaired if examination of the patent application is delayed. Delay in examination will impair business

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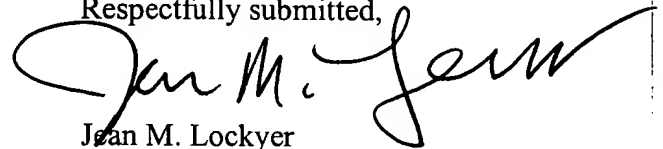
development and financing efforts to maintain the viability of the company and to thereby support development of the subject technology.

Please charge \$130.00, pursuant to 37 C.F.R. § 1.17(i), to Deposit Account 20-1430.

CONCLUSION

In view of the foregoing statement establishing that the present invention relates to biotechnology filed by applicants who are small entities, Applicants respectfully request that this petition be granted. If a telephone conference would expedite consideration of this matter in any way, please call the undersigned at 415-576-0200.

Respectfully submitted,



Jean M. Lockyer
Reg. No. 44,879

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